

SPARTAN ALLEN.

JULY 10, 1840.

Read, and laid upon the table.

Mr. GIDDINGS, from the Committee of Claims, submitted the following

REPORT :

*The Committee of Claims, to whom was referred the case of Spartan Allen, report :*

That the only papers in this case, is a letter of the claimant to the R. Chapman, in which he says that he was in a volunteer company in spring of 1838, operating in the Cherokee country, under the command of Captain Thomas M. Likens ; that he was sent in charge of a detachment to capture two Cherokee Indians who were charged with felony, and *instructed* by Captain Likens to employ a Cherokee Indian as an interpreter, which he did ; and as the Indian had no horse, he was obliged to let him ride his own, and borrow one from the company for himself ; from the heat of the weather, the great weight of the rider (which was in excess of two hundred pounds), and the mountains they had to cross, in performing a journey of thirty-six or thirty-eight miles, his horse was tired and sick and died the day after their return to the encampment.

There is no proof in support of the facts set forth in this letter ; but if the facts were established, they would not form a claim for relief under the rule or practice heretofore adopted by the committee in recommending compensation for horses lost in the military service of the United States. (See reports Nos. 921 and 1,060, 2d session, 25th Congress.). They therefore offer for the adoption of the House the following resolution :

*Resolved*, That the claimant is not entitled to relief.